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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/271,584	
	Filing Date	March 18, 1999	
	First Named Inventor	Eduardo BLUMWALD	
	Art Unit	1638	
	Examiner Name	A. Kubelik	
Total Number of Pages in This Submission	8	Attorney Docket Number	529642000200

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) (3 sheets)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Communication Regarding Notice of Drawing Inconsistency with Specification (2 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Notice of Drawing Inconsistency with Specification (copy, 1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	Other Enclosures (con't)
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		3. Notice of Draftsperson's Patent Drawing Review (copy, 1 page)
		4. Return Receipt Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)
Signature	
Printed name	Otis Littlefield

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL990376018US, in an envelope addressed to: MS Issue Fee, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: September 7, 2005

Signature: Valerie Cohen (Valerie Cohen)



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE 09/271,584

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 3-18-03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 3,4,6 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures _____ are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS**, whichever is longer, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450

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1-888-786-0101

FORM PTO-1631 (REV. 10-03)

9/271,584

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SEP 07 2005

- B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.15

B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 and the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

- Fig(s) _____

REVIEWER

DATE 7-27-99

TELEPHONE NO. 763 305 8450

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Dated: September 7, 2005

Signature: Valerie Cohen

(Valerie Cohen)

Docket No.: 529642000200
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eduardo BLUMWALD et al.

Application No.: 09/271,584

Filed: March 18, 1999

For: GENETIC ENGINEERING SALT
TOLERANCE IN CROP PLANTS



Art Unit: 1638

Examiner: A. Kubelik

**COMMUNICATION REGARDING NOTICE OF
DRAWING INCONSISTENCY WITH SPECIFICATION**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madame or Sir:

This Communication is in response to the Notice of Drawing Inconsistency with Specification (Notice) dated August 18, 2005. Applicants were given a time period of one (1) month from the mailing date of the Notice to respond to the same. Accordingly, this response is timely filed.

Figures 1a-1e, 2a-2c, 3, 4, 5a-5b, 6, 7a-7g, 8a-8h were listed in the Brief Description of the Drawings of the specification as filed on March 18, 1999. On the Notice dated August 18, 2005, it was indicated that the Submission of Formal Drawings filed on March 18, 2003 had been received; however, an inconsistency existed between the drawings (Figures 3, 4 and 6) and the Brief Description of the Drawings. Figures 3, 4, and 6 were never objected to during prosecution of this application pursuant to the Notice of Draftsperson's Patent Drawing Review (Form PTO 948) dated July 22, 1999 (copy attached); therefore, these same figures were not resubmitted with the Submission of Formal Drawings filed on March 18, 2003. As a courtesy, attached are Figures 3, 4,

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and 6 for the patent office's records and in response to the Notice.

REMARKS

Applicants respectfully request the submission of Figures 3, 4, and 6 as formal drawings. The patent office is invited to contact the undersigned if it has any questions and/or comments.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **529642000200**.

Dated: September 7, 2005

Respectfully submitted,

By 
Otis Littlefield

Registration No.: 48,751

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